ACCOUNT

CONCERNING

Several of the AGENTS

OF

New-England,

THEIR

NEGOTIATION at the COURT

OF

ENGLAND:

WITH

Some REMARKS on the NEW CHARTER Granted to the Colony of *MASSACHUSET*

SHEWING

That all things duely Considered, Greater Priviledges than what are therein contained, could not at this Time rationally be expected by the People there.

By Increase Mather

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A BRIEF ACCOUNT CONCERNING Several of the AGENTS OF *NEW-ENGLAND*, THEIR NEGOTIATION at the COURT of *ENGLAND*.

I May rationally suppose that an Account of my Negotiation in *England*, where I have been attending the great Affair of *New-England* for more than Three Years, will be expected from me.

When I began my Voyage from *Boston* for *London* (which was in *April*, 1688.) *New-England* was in a very deplorable Condition. He that was then Governour there, acted by an Illegal and Arbitrary Commission; and invaded Liberty and Property after such a manner, as no man could say any thing was his own. Wise men believed it to be a necessary Duty to use all Lawful means to obtain some Relief and Remedy against those growing Evils. This could not be done, without first acquainting him who was then in the Throne, with the miserable state of his Subjects in that Territory. No man of common [illegible] could be insensible of the Hazard and Danger that [illegible] his Person and Family, in appearing at Court as a Complainant against a Governour that was King *James* his Creature.

Nevertheleſs, being encouraged by many of the principal Gentlemen in *New-England*, I reſolved to venture, tho I periſhed in the Attempt, rather than to ſee my Countrey ruin'd.

In *June* following, I had the favour of waiting on the late King: I muſt acknowledge he was very kind and Obliging in his Expreſſions, giving me Liberty of Acceſs in private to him whenever I deſired it; ſeeming to wonder at the things I acquainted him with, and profeſſing that no man in the World ſhould be more ready to relieve the People. Interceded for, than he would. Notwithſtanding which, nothing was done for them all that Summer. And indeed, good words were as much as any one under my Character had reaſon to expect in King *James* his Court.

At the time of the happy Revolution in *England*, (being introduced by the Right Honourable my Lord *Wharton*, of whoſe kindneſs all *New-England* has cauſe to be ſenſible, his Lordſhip having upon all Occaſions concerned himſelf for them) I made my humble Addreſſes to his preſent Majeſty (then *Prince* of *Orange*) in behalf of that Countrey. There was a Circular Letter drawn up to be ſent to all the Plantations, and in particular to *New-England*, to confirm thoſe Governours in their Places till further Order. Mr. *Jephſon* (the then Princes Secretary) ſhewed me the Letter. I aſſured him that *New-England* would be undone, if that Letter ſhould come to them: Within a few dayes he told me that he had acquainted His Highneſs with what I ſaid to him: Who had thereupon Ordered him not to tranſmit that Letter to *New-England*, But to all the other Plantations where there were Proteſtant Governours. This was certainly an happy turn for *New-England*. How would their Oppreſſors have inſulted over them, had ſuch a Letter come into their hands! I knew that whileſt that People enjoyed their Old Charter they proſpered wonderfully: But that ſince they were deprived of the Privilledges therein contained their ruins were multiplyed; and that the Inhabitants were generally deſirous of being reſettled as in the days of Old: for which cauſe I reſolved to do what was in me that it might be ſo.

Wher

Whenever I had the Honour of speaking to the King, whether at *White-Hall*, *Hampton-Court*, or *Kensington*, I still mention'd the Charter, and always found that the King (although he judged it would be for the Advantage of *New-England*, to have a Governor Commission'd by his Majesty, yet that he) was graciously inclin'd to Restore Charter-Priviledges unto his Subjects in that Territory. Once, at *Hampton-Court*, his Majesty was pleased to bid me rest assured, that it should be so, if it were in his Power to cause it to be done. I advised with many wise Men about this momentous Affair, whose judgment was, That the best, and most effectual Course would be, to endeavour a *Reversion of the Judgment* against the Charter of the *Massachusets*, by an Act of Parliament; and after that, to Petition the King for such additional Priviledges as should be thought needful. I prayed Sir *Henry Ashurst*, whom I knew to be a worthy Member of the Convention (as well as of this present) Parliament, to concern himself for the good People in that Countrey: Which he did without much intreaty, being of himself forward to do Good: Nor is it possible for *New-England* ever duely to Recompense him for his sincere Intentions, and assiduous Endeavours to serve them. We both of us spake to many of the principal leading Men in that Parliament: The Issue of which, was, The *Commons of England* Voted the Taking away the *Charters* belonging to *New-England* (as of those in *England*) to be Illegal, and a Grievance, and that they ought to be Restored. A Bill was drawn up accordingly, which Passed the *House of Commons*, and was sent to the *House of Lords* for their Concurrence, on *January* the Tenth, 1689. A great Interest, in behalf of *New-England*, had been made amongst the Lords; but that Parliment being unexpectedly Prorogu'd and Dissolv'd, a whole Year's *Sisyphean Labour* came to nothing.

When this present Parliament met, it was, for some Reasons, thought not adviseable to trouble them with the Affair of *New-England*. Some Essays were then made, to see if by a *Writ of Error in Judgment*, the Case relating to the *Massachusets* might be brought out of *Chancery* into the *Kings-Bench*. But an unexpected Providence rendred an Attempt of that Nature vain. Never did I see a more signal Hand of Heaven in any

Matter,

Matter, than in Disappointing all Designs, and Frustrating all Hopes for Obtaining the so much desired full *Restitution* of all Charter-Priviledges, by a *Reversion* of the Judgment entred against them. There was now but one way left for the Settlement of *New-England*, &c. To implore the King's Royal Favour.

It was not in the King's Power to Reverse the Judgment against the Old Charter; nevertheless, his Majesty had Power to Re-incorporate his Subjects, thereby granting them a New Charter, which should contain all the Old, with New, and more Ample Priviledges.

This, Three of the *Agents* of the *Massachusets Colony* Petitioned for; the Right Honourable the Earl of *Monmouth* condescending to deliver that Petition with his own Noble Hand. After which, through the Intercession of a Great and Worthy Personage, the King was graciously pleased to referr the Affair of *New-England* to the Consideration of the two Chief Justices, with his Majesty's Attorney, and Sollicitor-General. They Four met three or four times: They were so kind as to give me leave to be present with them at all their Consultations. The Heads of the Charter belonging to the *Massachusets Colony*, and of that granted to Sir *Ferdinando Gorges*, were presented in Writing; together with what additional Priviledges we did at present pray for. They all thought there was nothing Unreasonable or Prejudicial to the King's Interest in what was requested. These things were presented to the King by my Lord Chief Justice *Hole*. The King ordered him to present them to the Council; which was done on the First of *January* last; when they were referred to the Consideration of the Right Honourable the Lords of the Committee for Foreign Plantations.

Immediately upon this, the King began his Royal Voyage for *Holland*; until whose Happy Return nothing could be effected as to the Settlement of *New-England*. In the mean time, I drew up several Reasons for the Confirmation of Charter-Priviledges granted to the *Massachusets Colony*; which I dispersed among

among the Lords of his Majesty's most Honourable Privy-Council; and did particularly address my self to the greatest part of them, humbly praying their Lordships Favour to *New-England*, in a Matter which seemed so Just and Equitable: And had assurance from many of them, that whenever the Affair of *New-England* should come before the Council-Board, they would do what in them was, that *Ancient Rights and Priviledges might be Restored.*

Moreover, a Noble Personage did me the Honour to introduce me to the Queen, that so I might have an Opportunity to sollicit Her Majesty's Royal Favour towards her Subjects in *New-England*. I assured her Majesty, That there are none better affected to their Majesties Government, and that on that account they had been exposed to the Rage of the *French*, and other Enemies to the present Government in *England*; and that the King having referred the Consideration of the Affair of *New-England* to the two Chief Justices, with the Attorney and Solicitor-General; we only prayed, that what they thought was reasonable, might be granted to us.

The Queen graciously replied, That *that was a reasonable Request, and that she hoped it would be done for us, only it could not be done but by the Council.* Her Majesty moreover assured me, That she had divers times spoken to the King in behalf of *New-England*; and that, *for her own part, she desired that that People might not only have what was* Just *done for them, but that something of* Favour *might be shown to them.* —— I the rather mention this, that so all *New-England* may be excited to Pray for so Gracious a *Queen.*

When the *King* returned to *England*, he stayed not there above a Fortnight: In which time I had twice the Honour to wait on his Majesty in behalf of *New-England*. The First time I only delivered the last *Address* from the *General-Court* at *Boston*, *viz.* that of *December* 16. 1690. and a *Petition* from many Merchants in *London*, praying, That Charter-Priviledges might be restored to *New-England*; and that some Frigats might be sent for the Security of those Coasts. The Second time, I humbly

his praying the Continuance of his Royal Favour to his Subjects in that Territory. The King was then pleased to ask me, What I would have to be done for *New-England*? "I humbly put his Majesty in mind of our Old Charter-Privi-"ledges: And that if they should, by his Royal Favour and "Goodness, be restored, that would make his Majesty's Name "Great in those Ends of the Earth, as long as the World "should stand: That none of his Subjects prayed more for "his Royal Person, and for the Success of his Arms, than they "did: That they were all of them Protestants, and that they "differed in lesser Matters from some others, being of those that "were called *Presbyterians* and *Congregational Men*: That his "Majesty, in his great Wisdom, had considered the Circum-"stances of *England*, and the Circumstances of *Scotland*: That, "according to his Royal Wisdom, he would consider the Cir-"cumstances of *New-England* also; and that such Rulers "would not be agreeable to them, as were very proper to "some other *English Plantations*." The King replied to me, That within two or three days he expected a *Report* from the Committee of Lords, for *Foreign Plantations*, and that he should then see what could be done.

Two days after this, (*viz.* on *April* the 30th 1690.) it was by the Lords of the Committee proposed to the King, Whether he would have the People in *New-England* make what Laws, and appoint what Officers They pleased? Or, Whether He would not appoint a Governour of his own, who should have a Negative Voice on all Acts of Government? The King was very inquisitive to know whether he might, without any Breach of Law, set a Governor over that Colony: (For we have a King now that will not Act contrary to Law.) The *Lord Chief Justice*, and some other of the Council, answer'd, That whatever might be the Merit of the Cause, inasmuch as the Charter of *Massachusets Colony*, in *New-England*, stood vacated by a Judgment against them, it was certainly in the King's Power to put them under what Form of Government he should think best for them. The King then said, That he was desirous to promote the Welfare of *New-England*, as well as of *England*; and that he believed it

would

would be for the Good and Advantage of his Subjects in that Colony, to be under a Governour appointed by himself: Nevertheless, That he would have the Agents of *New-England* Nominate a Person that should be agreeable to the Temper and Inclinations of the People there; only that, at this time, it was necessary that a Military Man should be set over them; and that this notwithstanding, he would have Charter-Privi-ledges Restored and Confirmed to them.

The next day, the King began his Second Royal Voyage for *Holland*; but an *Order of Council* was drawn up, intimating, That it was the King's Pleasure to have a Governour of his own Appointing sent to *New-England*, who should have a Negative Voice in all Acts of Government: And, That the *Massachusets Colony* should be settled on the same Foundation with *Barbadoes*, &c. And that a Charter should be prepared accordingly. As soon as I had a Copy of this *Order of Council*, I went with it to four or five of the Lords of His Majesty's most Honourable Privy-Council; Every one of which, said, That as it was worded, it did not (in their Opinion) agree with the King's Expressions or Intentions. Moreover, I caused a Copy of this Order to be transmitted to my Lord *Sidney*, one of his Majesty's Principal Secretaries of State, then with the King in *Flanders*; praying, That if that Order, Signed by one of the Clerks of the Council, was not according to the King's Mind, His Majesty would graciously please to signifie his Dis-approbation thereof: But no such Signification ever came.

The Attorney-General, in the mean time, prepared a Draught of a Charter, according to what he took to be the King's Mind, as expressed when his Majesty was last in Council. In that Draught, the Free men (and not all Free-holders,) had Power to Chuse the Deputy-Governour, and the other General Officers: And the King's Governour had not a Negative Voice allowed him in any Case.

This Draught was presented at the Council-Board on the Eighth Day of *June* last; when it was by some objected, That

Sir George Treby.

by such a Charter as this, the King's Governour would be made *a Governor of Clouts*; and Order was given to prepare new *Minutes*, or *Heads*, for another Draught: Which indeed made the Charter designed to be *no Charter of Incorporation*, and did deprive the *Massachusets* of some Essential Priviledges in their former Charter. When those *Minutes* were agreed on by the Lords, the Secretary of the Committee gave me a Copy of them; with an Order from their Lordships, That if the *Agents* of the *Massachusets Colony* were not satisfied therewith, they should bring in their Objections to Mr. Attorney-General. I shewed the Order to the other *Agents*. Sir *Henry Ashurst* went with me to the Attorney-General. I expressed my Dissatisfaction, perhaps, with a greater *Pathos* than I should have done, earnestly protesting, that I would sooner part with my Life, than *Consent* to the *Minutes*, or any thing else that did infringe any Liberty or Priviledge of Right belonging to my Countrey. The like I said to some Ministers of State: Who replied, That our *Consent* was not expected nor desired: For they did not think the *Agents* of *New-England* were *Plenipotentiaries* from another Sovereign State; but that if we declared we would not submit to the King's Pleasure, his Majesty was resolved to settle the Countrey, and we must take what would follow.

I drew up some Reasons against the *Minutes* proposed; Sir *Henry Ashurst* joyned with me therein; We argued, That the King had graciously promised a Restoration of Charter-Priviledges to *New-England*; and that Charter-Priviledges might with as much and more reason be with-held from any, or all the Corporations in *England* which were never legally Restored, as from *New-England*; with several other Arguments too large to be here inserted. These Reasons we delivered in Writing to the King's Attorney-General, who presented them to the Lords at the Council-Board. I likewise caused a Copy of them to be sent over to the King in *Flanders*. Moreover, some Great Ones at Court wrote to several of the Ministers of State who were with the King, entreating them to use their Interest with his Majesty, that nothing might be Imposed on *New-England*, which would be grievous to his good Subjects there.

Some were apt to think, that if the King were in *England*, we might

might prevail with his Majesty to signifie his Disallowance of those *Minutes* which were so grievous to us; and that therefore it might not be amiss to write to the King in *Flanders*, praying that a stop might be put to any further Proceedings about the Charter, until his Majesty's happy Return to *England*. I desired a Great Person (whom I knew the Queen had an high Esteem of) to pray her Majesty to write to the King, That he would graciously please to Command that the Charter should Pass, as drawn up by the Attorney-General; or else that it should be Deferred until his Majesty's coming. The *Queen* was so kind as to do this for *New-England*. I now concluded that nothing more would be done for some Months.

By continual Attendance on this arduous Affair, I had broken my Natural Rest, and neglected my Necessary Food, insomuch that my Health was greatly impaired. Physicians advised me to recede into the Countrey, and use Mineral Waters for my Recovery.

Before I had been there long, I had (and was surprized at it) notice that the King had signified his Approbation of the *Minutes* which we were so much concerned about; and that it was his Royal Pleasure that *New-England* should be forthwith settled accordingly.

Likewise, a very great Man, and a great Friend of *New-England*, desired a Person of Quality to advise me to take up with what was proposed; withall adding, that if the King were in *England*, as Matters were now circumstanced, nothing more or better could be expected. I immediately returned to *London*.

His Majesty's Principal Secretary of State assured me, that he had received such a Signification of the King's Pleasure, as has been mentioned; and was pleased to let me see the Letter; wherein it was expressly declared, not only that the King did approve of the *Minutes* agreed unto by the Lords of the Committee, but that he did *by no means approve* of the *Objections* which the *Agents* of *New-England* had made against them.

We then resolved however to get as much Good, and prevent as much Hurt to the Countrey as possibly might be. A Petition was Signed by Sir *Henry Ashurst* and my self, praying, That no Property belonging to that Colony, or to any therein, might by the *New Charter* be taken from them, nor any Privileges which

they had a Right unto: That the *Province* of *Mayn* might be Confirmed; *Nova Scotia* added to the *Maſſachuſets*: And, That *New Hampſhire* might be put under that Government. As to what concerns *Hampſhire*, we were told, the People there deſired to be under any Government in the World, rather than that of *Maſſachuſets*. Great Oppoſition was made againſt what was propoſed concerning the *Province* of *Mayn*, but at laſt it was granted, and *Nova Scotia*, ſo far as in the Charter is expreſſed. Juſt at this time, Letters came to my hand from *Plymouth Colony*, giving me the Thanks of the General Court there, for that I had prevented their being annexed to *New-York*, (which was by ſome Perſons of Intereſt deſigned above a Year ago:) And intimating, That the generality of People there deſired to have a diſtinct Charter, and be confirmed as a diſtinct Government amongſt themſelves: But if that could not be obtained, that then, for the Lord's ſake, I would endeavour that they might be united to *Boſton*, rather than to *New-York*.

When I underſtood the Charter was finiſhed, and had been read before the Lords, I prayed that I might ſee it, and carry it to Councel; becauſe there might be ſome Clauſes in it which their Lordſhips might have ſuch Reaſons ſuggeſted to them, as they would think meet to expunge them, or to add ſome Particulars which might be Beneficial to his Majeſty's Subjects in that Colony, and no ways Prejudicial to the King's Intereſt, nor yet inconſiſtent with thoſe *Minutes* which they would not ſuffer to be contradicted. This Requeſt was granted, only I muſt return the Copy within a few days: An Eminent Councellor peruſed it two or three times, and made his *Remarks* on it.

That Phraſe of *Corporal Oath* was altered, that ſo no Snare might be laid before ſuch as ſcruple Swearing on the Book. A Clauſe was added, Confirming Grants made by the General Court, notwithſtanding any defect that might attend the Form of Conveyance, that ſo Mens Titles to their Lands might not be invalidated, only for that the Laws which gave them their Right, had not paſſed under the Publick Seal in the time of the former Government. Some other Alterations we prayed for, but we could not obtain them.

The Queſtion now, was, *Whether we ſhould ſubmit to this New Settlement? Or, in hopes of obtaining a Reverſion of the Judgment againſt*

againſt the Old Charter, ſignifie to the Miniſters of State, that we had rather have no Charter at all, than ſuch an one as was now propoſed to acceptance? I knew that in the *multitude of Councellors there is ſafety*, and did therefore adviſe with many, and with Perſons Unprejudiced, and of the greateſt Wiſdom and Ability to judge; with Noblemen, Genlemen, Divines, and Lawyers: They all agreed, that it was not only Lawful, but, all Circumſtances conſidered, a *Duty* to ſubmit to what was now offered. Some ſaid, They were very weak Men, and unfit to appear as *Agents* for a *Colony*, that ſhould make any Queſtion of it. Others ſaid, That a peremptory Refuſal would bring not only a greater Inconvenience, but a fatal Ruine on *New-England*; and then Mankind would lay the blame on the Weakneſs and Wilfulneſs of the *Agents*, who when they could not have what they would, ought to ſubmit to what they could get. The Opinion of the Lawyers, was, That ſuch a Paſſive Submiſſion was not a Surrender, inaſmuch as nothing was done under Hand and Seal: Nor could there be a Surrender in this caſe, ſince Judgment was already Entred and Recorded againſt the Old Charter: Nor were the *Agents* capable of Surrendring, as not being *Plenipotentiaries*; and that their taking up with this, did not make the People in that Colony, in Law, uncapable of obtaining all their Old Priviledges, whenever a favourable Opportunity ſhould preſent it ſelf; for the World knew, that in a preſent parting with any of their ancient Rights, they were forced to yield unto Neceſſity. I remember, an Honeſt Lawyer, and a Well-wiſher to *New-England*, told me, That if we were put to our Choice, whether to enjoy our *Old Charter* (which he was well acquainted with) again, juſt as it was, or to take up with this, (all things duely conſidered,) we were not wiſe if we did not chuſe *this* rather than *that*. It was conſidered, That a Judgment (right or wrong) not in Court of *King's-Bench*, but in *Chancery*, ſtanding on Record againſt the *Charter* of the *Maſſachuſets*, whereby it was vacated and annihilated, *that* Colony was fallen into the Kings Hands; ſo that he might put them under what Governours, or what Form of Government he ſhould pleaſe. Their *Agents* might beg for a full Reſtitution of all Ancient Priviledges, but they might not either Chuſe or Refuſe as to them ſhould ſeem beſt. It was conſidered, That there was no probability of obtaining a Reverſion of the

Judgment

Judgment againſt the former Charter. We ſaw it was in vain to attempt to bring it out of *Chancery* into the Court of *King's Bench*. There were thoughts of bringing the Matter into the *Houſe of Lords* by a Writ of Error in Judgment; but it was believed that no *Curſitor* would now venture to Sign a Writ of Error; and that if he ſhould, the *Lords* would not be forward to concern themſelves in this Affair.

Although the Archbiſhop of *Canturbury* that now is, and many of the preſent Biſhops, are Friends to *New-England*, (as well as to all good Men,) and I have cauſe to acknowledge the perſonal Reſpect I have received from many of them: And although a great Intereſt has been made for *New-England* amongſt the Temporal Lords; nevertheleſs, when they ſhould underſtand that the King was deſirous to have that Countrey put under another Form of Government, which his Royal Wiſdom judged would be better for them than what they formerly enjoyed, the Lords would be very ſlow in doing any thing that they knew would be diſſatisfactory to his Majeſty. And if they ſhould ſee cauſe to take the Caſe of *New-England* into their Conſideration, though they would not Juſtifie the manner of Proceedings; yet when they ſhould hear all that was to be Objected againſt the Governour and Company, on the Account of their having exceeded the Powers of their Charter in ſeveral Particulars, and in a very high degree, they would certainly judge that they had merited a Condemnation thereof. It was alſo Conſidered, That the Old Charter was, in more reſpects than one, very defective: For by that, the *Government* in *New-England* had no more Power than *Corporations* in *England* have. But thoſe Corporations have not Power in *Capital Caſes*. Both the Judges and Eminent Lawyers have aſſured me, that though Power was given to Corporations in *Criminal*, except *Capital Caſes*) *be particularly expreſſed*, their Power does not reach ſo far: Nor was there any thing in the Old Charter concerning an *Houſe of Deputies*, or *Aſſembly of Repreſentatives*: Nor had the Governour and Company Power to impoſe Taxes on the Inhabitants: Nor to Erect *Courts of Admiralty*, &c. And the King's Attorney-General (who is no Enemy to *New-England*) declared, the two Chief Juſtices, and Solicitor-General, concurring with him, That ſuppoſing the Judgment againſt the Charter of the *Maſſachuſets* to be Reverſed, if the Government

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vernment ſhould exert ſuch Powers as before the *Quo Warranto* againſt their Charter they had done, there would now be a Writ of *Scire facias* iſſued out againſt them in *Weſtminſter-Hall*, and their Charter-Priviledges would undoubtedly be taken from them. And it was Conſidered, That if the Judgment againſt the Old Charter had been Reverſed by *Act of Parliament*, the *Maſſachuſets Colony* would, for all that, have been in a far more miſerable Condition than by the preſent Settlement they are reduced unto: For then the *Province of Main*, as to Government, would have been taken from them, ſince Government is a Truſt that cannot be ſold; and *Hampſhire* (which would have been made to extend as far as *Salem*) and *Plymouth* would have been put under a Governour ſent from *England*; which Governour would have had the Command over the Militia, and the Power of Admiralty, &c. in the *Maſſachuſets Colony*: So that, in fine, *Boſton* would have been deprived of Trade, and the whole Colony made very inſignificant: And if they had exerted Powers neceſſary for the Supportation of their Government, perpetual Contuſions would have been made againſt them. It was moreover Conſidered, That if the Agents of that Colony had ſignified to the Miniſters of State, that they had rather have no Charter at all, than this which the King was pleaſed to grant to them, the Conſequence would have been, that they ſhould have had a Governour wholly a Stranger to *New-England*, and a Deputy-Governour not acceptable to the People there; and many of his Councellors Strangers, and others of them ſuch as were *Androſs*'s Creatures; and that this Governour ſhould have had the ſame Power which the Governours in other Plantations have, to Appoint the General Officers. They are very weak Men that doubt of this; and if they will look no further than their Neighbours at *New-York* and *Virginia*, they may ſee Demonſtrations before their Eyes ſufficient to convince them. It was likewiſe Conſidered, That ſome Perſons in *London* were endeavouring to get a *Patent* for all *Mines*, *Minerals*, *Gums*, &c. in *New-England*: Which Deſign was, of late, likely to have taken effect, only the New Charter has moſt happily prevented that which would have been of pernicious Conſequence to all that Territory. It was further Conſidered, That by this *New Charter* great Priviledges are granted to the People in *New-England*, and, in ſome Particulars, greater than they formerly enjoyed: For all

Engliſh

English Liberties are restored to them: No Persons shall have a Penny of their Estates taken from them, nor any Laws imposed on them, without their own Consent by Representatives chosen by themselves. Religion is secured; for Liberty is granted to all Men to Worship God after that manner which in their Consciences they shall be perswaded is the most Scriptural way. The General Court may by Laws Encourage and Protect that *Religion* which is the general Profession of the Inhabitants there. They may still have *Judges, as at the first*; and *Councellors, as at the beginning*, if the fault be not their own. As long as their Principal Magistrates, Judges, Justices of the Peace, are such as will encourage Vertue and Piety, and punish Vice, Religion will flourish: And if they have not such, the fault will not be in the *New-Charter*, but in themselves; since no bad Councellor, Judge, or Justice of the Peace, can now be imposed on them. These things are as a Wall of Defence about the Lord's Vineyard in that part of the World. The General Court (now that the *Massachusets Colony* is made a *Province*) hath, with the King's Approbation, as much Power in *New-England*, as the King and Parliament have in *England*; which is more than could be said in the time of the former Government there, which had only the Power of a Corporation. The General Court has now Power to impose Taxes upon all the Inhabitants; and to make Laws which shall Incorporate Towns, or Schools of Learning, *&c.* which by the First Charter they had not Power to do. That Countrey may now expect Protection and Assistance from *England*, as the Matter shall require, more than formerly. And although there are some things in this *New Charter* which are not desirable, yet nothing that is intolerable. Take it with all its Faults, and it is not so bad, but that when I left *New-England*, the Inhabitants of that Territory would gladly have parted with many a Thousand Pound to have obtained one so good. The great fear, is, that though at present there be a good Governour (appointed by the King,) who wisheth well to *New-England*; yet he will quickly be removed, and perhaps an Enemy come in his room. But I am morally certain of it, that if they hearken to the Advice of their best Friends, no Person not agreeable to *New-England*, in respect of Religion, and the Temper of that People, will be set over them, during their present Majesties Reign, whom the God of Heaven send long to Live and Reign.

Yet

Yet ſuppoſe it ſhould be otherwiſe: Suppoſe a Perſon as bad as *Andros* (and the *New-Englanders* think there can hardly be a worſe,) ſhould come amongſt them, What can he do? He cannot without the Conſent of the Council Choſen by the Repreſentatives of the People, appoint a Sheriff to pack Juries to ſerve his turn; nor Judges that will act againſt their Conſciences, rather than diſpleaſe him. Nor can he now ſend Men out of the Conntrey, without their own conſent. Nor can he and his Creatures make Laws, or Leavy Taxes; nor Invade any Man's Property, under pretence that it is the King's; and that they muſt come to him for Patents, that ſo they may have a true Title to their Lands and Eſtates. Nor can he, without violating the *Magna Charta* of *New-England*, diſturb any Man for his Religion. The King's Governour has a Negative Voice in all Acts of Government; whcih may be thought a great Infringement of the Peoples Liberty; and indeed, makes the Civil Government of *New-England* more *Monarchical*, and leſs *Democratical*, than in former Times. Nevertheleſs, *the People have a Negative on him.* In which reſpect, *New-England* is by this Charter more priviledged than *Ireland*, and than any Engliſh Plantation whatſoever, or than they that live in *England* it ſelf are. Appeals to *England* are allowed of by this *New Charter*; but only in *Perſonal* (not in Real or Mixed) *Actions*, where the matter of difference is above Three hundred Pounds Sterling in value. So that as to Titles of Land there cannot be any Appeal to *England*, but thoſe Controverſies are to have a final Determination in Courts of Judicature amongſt themſelves. And Laws Enacted by the *General Court*, are to be tranſmitted to the King for his Royal Approbation: Nevertheleſs, thoſe Laws, when made, are to be in force as ſoon as made, until ſuch time as diſallowed of by the King: And if within the ſpace of Three Years the King's Diſapprobation be not ſignified, thoſe Laws are to be Perpetual, except by the General Court they ſhall be Repealed. By the Old Charter, the Governour and Company might not make any Laws contrary to the Laws of *England*: And ſuch reaſonable Laws as are not contrary thereto, will no doubt be Confirmed by his Majeſty, if the People in *New-England* be not wanting to themſelves as to due Endeavours that it may be ſo. All theſe things duely conſidered, the Beſt and Wiſeſt Men in *England* thought that the

Persons who were concerned for *New-England*, would do an ill Service for their Countrey, if they should peremptorily decline a Submission to this Settlement, and thereby bring upon themselves that which would be more undesirable.

I must beg leave (for it is a Truth) to say this further, That whereas the People in *New-England* have not obtained all the Charter-Priviledges which they have at several times Petitioned Their Majesties for; they have more reason to blame themselves, than those of their Agents, who did their utmost to procure every thing for them which they prayed for. Had they at the time of the *Revolution*, entred upon the *full Exercise of their Old Charter-Government*, and then humbly signified to the King that they had so done; and that they were perswaded, His Majesty, who declared, when Prince of *Orange*, That Charters and Ancient Priviledges should be restored to the English Nation in general, would not be offended at them on the account of their adhering to what was their undoubted Right; wise Men are of Opinion that they might have gone on without disturbance, until such time as new Complaints should be exhibited against them, on the account of doing things which by their Charter they were never impowered to do. But in an Address to the King, they assure his Majesty, That *they had not entred upon the full Exercise of their Charter-Government; but that not having received Directions from* England, *which they humbly waited for, they entred upon the Government for the Preservation of the Peace, until such time as they should receive an Orderly Settlement from* England; *which they prayed might be according to their Old Charter, that had been unrighteously taken from them.*

Now when wise Men in *London* saw this: Will you (said they) who are Agents for the *Massachusetts Colony*, refuse to submit to a Settlement of your Government from *England*, when your Principals have signified to the King that they will do it? Who gave you that Power of Refusal? Has the General Court, in an Address to the King, declared, They have not entred on the full Exercise of their Charter-Government, but that they wait for the King's Pleasure, as to their Settlement; then surely they have not given you private Instructions not to submit? And if they have not, you cannot answer your Refusal to your Principals, nor to the King, nor to Mankind. Have not your

your Magistrates caused a new Clause to be added to the usual Oath taken by the Assistants, *viz.* That if *contrary Orders arrive from England*, that Oath shall not oblige them to serve as Assistants until the Year be expired? Shall then their Agents protest against such Orders?

Such as these have been the Reasonings of wise Men in *London*. Moreover, the Government in *New-England* Petitioned the King to assist them with Frigats, and Supplies of Arms and Ammunition; which was, in effect, to pray for a Governour. They could not be so weak, to think the King would send the one without the other.

When I wrote to this purpose to a principal Person in Government there; the Answer returned to me, was, That I, and other Persons that were employed as Agents for that Colony, ought to look on it as the principal thing committed to our Care and Trust; and that, *preferrable to all other things whatsoever*: To endeavour the obtaining Assistance from their Majesties, against the *French*, and other Enemies; and that this was the sence of the generality of the sober People in *New-England*. So that if these two came in Competition, either to have the Old Charter just as it was, or to get Assistance from *England*; we were told we should be Unfaithful to our Trust, if we did not preferr the latter to the former.

Yet further: The Countrey was so impoverished by the Wars made upon them, as that they could not send a competent Supply to their Agents for the management of their Affair.

Besides what was sent to me out of *New-England*, I expended upwards of Two Hundred Pounds of my own Personal Estate, out of Love to that People. And I did, for their sakes, borrow of a Merchant in *London* above Three Hundred Pounds more, which was Two Years before care was taken for the Repayment of it.

The last Year, some who were hearty Well-wishers to *New-England*, wrote thither, That they must consider, their Life, their Religion, the Welfare of their Posterity for ever, depended on a suitable Suppy for their Agents that were concerned in Transacting their great Affairs at Court. This, notwithstanding, for more than a Twelvemonth, not one Penny was returned: So that I was necessitated, either to suffer Ruine to come upon the

Countrey where I had ſpent the greateſt part of my Life, or elſe muſt borrow Money again to ſerve them: Which I did, and Engaged all the Eſtate I have in the World for the Repayment thereof: This is more than ever any man did before me, and perhaps more than any Perſon ſo Circumſtanced as I have bin, will do after me.

And what was I able to do more? I do humbly affirm, That there is not a man in this World, that has done more, nor ſo much, towards the obtaining of a full Reſtitution of all Charter-Priviledges to *New-England*, as I have done. And as to the undeſirable Minutes in the New Charter, there is no perſon living that has manifeſted his diſſent therefrom, or more oppoſed, or done more to prevent them, than I have: But to reject all the Good therein, becauſe of ſome things inconvenient, is that which I dared not to be guilty of. As Day and Night have ſeen it, ſo I can, and I do appeal to Heaven and Earth, that I have ſerved that People with all Fidelity to the very utmoſt of my Power.

And now they muſt give me leave to give them the beſt Advice I can. I ſhall not need (for they will do it of themſelves) to perſwade them to ſend an Addreſs of Humble Thanks to their Majeſties, for their Royal Favour in Reſtoring Property, and in Conferring greater Priviledges on *New-England*, than have bin granted to any other *Engliſh* Plantation. And for that their Majeſties have been graciouſly pleaſed to put the preſent Government of *New-England* into good hands. The Perſon Nominated for Governour (Sir *William Phipps*) is one that has ventured his Life to ſerve his Countrey. When *Gideon* did ſo, the Children of *Iſrael* were deſirous that he ſhould Rule over them: The Deputy-Governour, Mr. *Stoughton*, is one whoſe worth is known in both *Englands*. One of more than ordinary Accompliſhments, both as to parts Natural and Acquired, and as to Vertue and Integrity. And as for the Twenty Eight Aſſiſtants, who are appointed to be of the Governours Council, every man of them is a Friend to *New-England*, and to the Churches and Intereſt of Chriſt therein. To be in the hands of ſuch Rulers is an invaluable Mercy.

As

As for me, whom the Lord Jesus has made use of as an Instrument in his Hand, for obtaining this Mercy for *New-England*; I desire no Acknowledgment, nor any Reward in the least, for the Difficult and Expensive Service I have for their sakes gone through. Let me wait for my Recompense till the Resurrection of the Just. But if that People be not thankful to God, and to the King and Queen, for what has been done for them; not only the King and Queen, but the Majesty of Heaven, may justly be incensed against them. To be thankful for what is given, is the way to receive more from God and Men.

But let me Propose,

1. That the *General Court* do, without delay, agree upon a Body of Good Laws. They may make such Laws for the Settlement of the Militia, and for the securing of Liberty to the Subject, as shall be better than their Old Charter. And as to what concerns the Upholding of Religion in that Countrey, there are especially Two things which may be done. The one, is, By Laws to Encourage an Able and Faithful Ministry. The other, is, To take care that the *Colledge* be Confirmed in such Hands, as will make it their Concern to Promote and Propagate Vertue and Learning. It was in a special manner with respect thereunto, that I did undertake a Voyage for *England* above Three Years and an half since. As long as that Countrey lay unsettled, as to the Civil Government, I could not do much for the Colledge; only I prevailed with a Gentleman of my Acquaintance, to bequeath a Legacy of Five Hundred Pounds to that Society. And now, in this *New-Charter*, all Donations or Revenues granted to that Academy, are by the King, under the Great Seal of *England*, Confirmed. I humbly proposed to some great Ministers of State, That a particular Charter might be granted for the Incorporating that School for Academical Learning. Answer was made, That it should be so, if I desired it: But that a better way would be, for the *General Court* of the *Massachusets Colony*, by a Law, to Incorporate their Colledge; and to make it an University, with as ample Priviledges as they should think necessary; and then transmit that *Act of the General Court* to *England*, for the Royal Approbation; which would undoubtedly

doubtedly be obtained. I look upon this Particular alone, to be well worth my going to *England*, and there ſerving half an Apprenticeſhip; for that no ſmall Concernment of Religion, and the Happineſs of future Generations, are comprehended in this Matter reſpecting the Colledge.

2. I take it to be good Advice, That Judges, Sheriffs, Juſtices of the Peace, ſhould be Eſtabliſhed throughout the Province, of ſuch as are Men fearing God; and that their Commiſſions continue, *Quam diu ſe bene geſſerint.*

However it ſhall be, whether my Counſels be followed or not, or whether my ſincere Intentions, and unwearied Endeavours to ſerve *New-England*, find Acceptance with them or no, I have this to comfort my ſelf with, That God has been ſo gracious to me, as to make me inſtrumental in obtaining for my Countrey a *MAGNA CHARTA*, whereby Religion, and Engliſh Liberties, with ſome peculiar Priviledges, Liberties, and all Mens Properties, are Confirmed and Secured (Allowance being given for the Inſtability of all Humane Affairs) to Them and their Poſterity for evermore.

LONDON,
Novemb. 16.
1691.

INCREASE MATHER.

AN

AN EXTRACT of a LETTER

(WRITTEN

By some of the most Eminent *Nonconformist Divines* in *London*,)

Concerning the

NEW CHARTER

Granted to the

Colony of *Massachusets* in *NEW-ENGLAND*.

To the much Honoured *General Court* Assembled at *Boston*, in *New-England*.

Much Honoured Gentlemen,

WE *must give this true Testimony of our much Esteemed and Beloved Brother*, *Mr.* Increase Mather, *That with inviolate Integrity, excellent Prudence, and unfainting Diligence, he has managed the great Business committed to his Trust. As he is instructed in the School of Heaven, to minister in the Affairs of the Soul; so he is furnisht with a Talent, to transact Affairs of State. His Proceedings have been with that Caution and Circumspection, as is correspondent to the weight of his Commission. He with Courage and Constancy has pursued the Noble Scope of his Employment; and understanding the true Moment of things, has preferred the Publick Good to the vain Conceits of some, that more might have been obtained, if peremptorily insisted on. Considering the open Opposition, and secret Arts, that have*

been

been used to frustrate the best Endeavours for the Interest of New-England, the happy Issue of things is superiour to our Expectation. Your present Charter secures Liberty and Property, the fairest Flowers of the Civil State: And which is incomparably more valuable, it secures the enjoyment of the blessed Gospel in its Purity and Freedom. Although there is a restraint of your Power in some things that were granted in your former Charter; yet there are some ample Priviledges in other things, that may be of perpetual Advantage to the Colony.

We doubt not but your faithful Agent will receive a gracious Reward Above; and we hope his successful Service will be welcom'd with your entire Approbation, and grateful Acceptance.

We are,

LONDON,
Octob. 17.
1691.

Your very Humble,

And Faithful Servants,

William Bates,
Thomas Woodcock,
Matthew Mead,
Matthew Barker,
Richard Stretton,
Vincent Alsop,
John Howe,
John James,
Samuel Annesly,
George Griffith,
Richard Mayo,
Isaac Chauncey,
John Quick.

THE END.